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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 REED H. MCCARTY,

14 Defendant.
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Case No. CR09-5602RJB

ORDER ON MOTION TO
WITHDRAW AND TO
APPOINT CJA COUNSEL

16 This matter comes before the court on the Motion to Withdraw and to Appoint CJA Counsel, filed
17 by counsel Sean P. Wickens. Dkt. 19. The court has considered the relevant documents and the remainder
18 of the file herein.

19 On August 28, 2009, counsel Phil Brennan was appointed to represent defendant, pursuant to the
20 Criminal Justice Act (CJA). Dkt. 2. On September 21, 2009, counsel Sean P. Wickens entered a notice of
21 appearance as retained counsel. Dkt. 15. On October 15, 2009, counsel Paula Olson filed a notice of
22 association with Mr. Brennan. Dkt. 17. On October 21, 2009, Mr. Wickens filed a Motion to Withdraw
23 and to Appoint CJA Counsel, requesting that he be permitted to withdraw as counsel and that CJA counsel
24 be appointed to represent the defendant. Dkt. 19. Mr. Wickens stated that defendant is financially unable
25 to afford retained counsel and has requested that Mr. Wickens petition the court to allow appointment of
26 counsel to represent him. Dkt. 19.

27 Mr. Wickens should be permitted to withdraw. However, Mr. Brennan has already been appointed
28 counsel for defendant pursuant to the CJA; the request that the court appoint counsel to represent him is

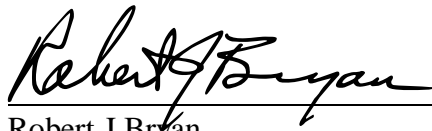
1 moot.

2 Therefore, it is hereby

3 **ORDERED** that Mr. Wickens' motion to withdraw as counsel (Dkt. 19) is **GRANTED**. Mr.
4 Wickens' request that the court appoint CJA counsel (Dkt. 19) is **DENIED** as moot.

5 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any
6 party appearing *pro se* at said party's last known address.

7 DATED this 23rd day of October, 2009.

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11 Robert J Bryan
12 United States District Judge
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